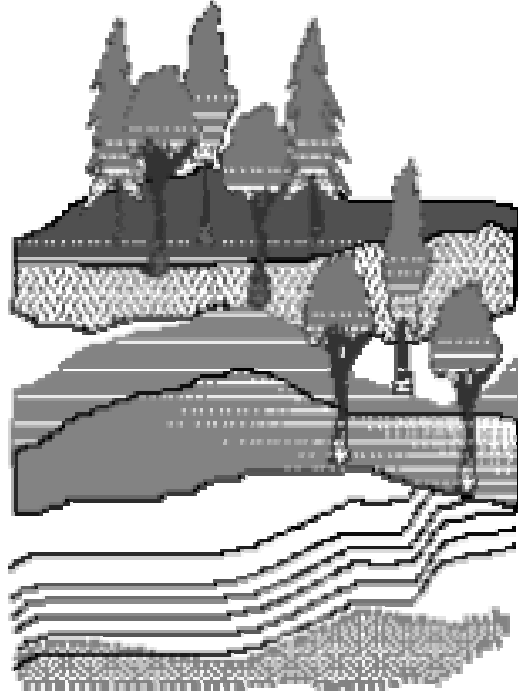


**Northward**



**How to...**

# PARCELIZATION HOW-TO PAMPHLET

## APPLICATION REQUIREMENTS:

1. An application made on forms available at the Area Plan Commission Office.
2. Ten sets of legal descriptions for all parcels under ten acres in area being created, OR ten sets of parcelization drawings using the format provided in Section 6.4(1) (b,c,d,f,g,i,j,l,m) of the Unified Subdivision Ordinance.
3. A letter from the County Health Department stating that the standards of Tippecanoe County Code Chapter 41 (also referred to as Ordinance 92-09 CM) have been met to assure the continued operation or the proper installation of an on-site sewage disposal system on each parcel. If the Health Department finds that the only septic system capable of functioning on a proposed parcel (due to high water table or other factors) is one that requires a curtain drain connection to an existing off-site outlet, (like a ditch) a drainage easement signed by all owners of property the easement will cross, must be submitted in a form ready for recordation. OR, if the property to be parcelized is within the Cities of Lafayette, West Lafayette, or the Towns of Dayton or Battle Ground or if the property is outside those corporate boundaries but can be served by sanitary sewer, then written documentation from the appropriate service provider stating that sanitary sewer is available is necessary.
4. If a proposed parcel has no public road frontage, a private drive easement must be created (the location and size of which must be approved by the County Highway Department). Samples of driveway easement documents are available at the Area Plan Commission Office. An additional statement must accompany any such easement description indicating that "Private driveways constructed in these easements shall not be accepted for maintenance by any participating jurisdiction." If a private drive easement already exists by virtue of a signed, notarized, and recorded document, the following statement must appear on the parcelization drawings or legal descriptions: "This parcel is subject to an easement for ingress and egress recorded in D.R. \_\_\_\_\_."
5. The appropriate right-of-way document, with a legal description prepared by a registered land surveyor, conveying such right-of-way to the appropriate jurisdiction. Documents shall be prepared in a format available at the Area Plan Commission Office and shall be signed by all land owners and notarized.
6. The notarized consent of the owner of record, contract owner, and/or optioner of the property (parent tract, or parcel) involved in the parcelization, if such person is different from that person or persons who signed the application.
7. A \$150.00 non-refundable processing fee.
8. If the proposed parcel has right-of-way to convey, a mortgage release for only that portion of the property within the road right-of-way must be given by the bank or lending institution holding the mortgage. If there is no mortgage on the property, a mortgage affidavit must be signed by all owners of record. This affidavit can be picked up at the Area Plan Commission Office.

**Staff review will not begin until all application requirements have been met including satisfactory written responses from the County Highway Department and the County Health Department.**  
**Standards**

**A. Number of Area of Parcels.**

The maximum number of parcels that can be created from a parent tract as defined in subsection 2.2 of this ordinance, and the minimum area of those parcels shall depend on the zoning classification of the land to be parcelized:

<b><u>Zoning Classification of Land to be Parcelized</u></b>	<b><u>Maximum No. of Parcels</u></b>	<b><u>Minimum Area of Parcels Exclusive of Right-of-way</u></b>
<b>AA</b>	<b>2</b>	<b>2 acres</b>

\*Unless Tippecanoe County Code Chapter 41 requires more.

A parcel may contain some FP-zoned land as well, but only if there is sufficient land within the non-FP portion to place a principal use building and its accessory buildings and paved areas and still conform with the Unified Zoning Ordinance and Tippecanoe County Code Chapter 41. Parcel area shall be measured exclusive of right-of-way.

**B. Parcels Abutting a Public Road.**

For parcels that abut a public road, the minimum parcel width shall be 200 feet. Parcel width shall be measured along the right-of-way line of the public road. For parcels abutting more than one public road, parcel width standards shall apply along each public road abutted. For parcels abutting a public road that cannot drive access from that road, an easement for vehicular access and utility placement, connecting all such parcels to a public road, shall be provided at the time of parcelization.

**C. Parcels Not Abutting a Public Road**

For parcels that do not abut a public road, the minimum parcel width shall be in accordance with the requirements of Tippecanoe County Code Chapter 41. For each such parcel, either a front lot line and all necessary setbacks or a building setback of 25 feet from all property lines, shall be included either on the drawings or recorded as a covenant. An easement for vehicular access and utility placement, connecting all such parcels to a public road, shall be provided, either at the time of parcelization or at the time of driveway permit issuance.

**D. Sewage Disposal**

Each parcel shall be served either by sanitary sewer or on-site sewage disposal system. If the property to be parcelized is located within the Cities of Lafayette and West Lafayette, or the Towns of Dayton and Battle Ground, parcels may not be served by an individual sewage disposal system. If the property to be parcelized is located outside these incorporated cities and towns and a sanitary sewer system from within an incorporated cities or town abuts that property, parcels shall then be subject to the provisions of Section 41-3-F of the Tippecanoe County Code. Where such service is unavailable (outside the indicated incorporated cities and towns either within or beyond areas served by these systems), on-site sewage disposal systems that meet the standards of Tippecanoe County Code Chapter 41, shall be required.

**E. Right-of-Way**

If a parcel abuts a public road along which full right-of-way width has not yet been obtained, the land divider shall, by appropriate instrument, convey to the public sufficient right-of-way for one-half the required width for that specific road (as indicated in the Thoroughfare Plan for Tippecanoe County or its successor), for the full width of that parcel along that roadway.

**F. Private Driveways**

The construction and maintenance of private driveways built to provide access to parcels shall be the responsibility of the owner or owners of the land. These driveways shall not be accepted for maintenance by participating jurisdictions. A private driveway may be named by the land divider, provided the name is approved by the Commission's Staff, as not duplicating or too closely approximating phonetically, the name of any other street

whether public or private, in the area covered by this ordinance. A sign indicating the name of the private driveway only may be erected, provided that the sign is not constructed with white letters on a green background, and is not constructed using any other format or color scheme used by a pertained street or road. The words "private drive" shall be approved by the County Highway Engineer or appropriate City Engineer or Town Board at the time of the driveway permit issuance.

### **3. REVIEW, APPROVAL AND RECORDATION**

- A.** An application for parcelization shall not be considered complete until all applicable items in Section 1 of this pamphlet have been submitted to the Commission's Staff. Within three working days of the submission of the completed application, the Commission's Staff shall review all items and notify the land divider as to their compliance or deficiencies with regard to all requirements of subsection 3.5 of the Unified Subdivision Ordinance.
- B.** Upon a finding of compliance, the Executive Director or his designee shall sign all ten sets of legal descriptions or drawing. Once signed, the approved parcelization is eligible to be recorded.
- C.** It shall be the responsibility of the land divider to file the approved parcelization with the County Recorder within thirty calendar days of the end of the review process. Failure to so record shall automatically void the approved parcelization.

### **4. DISSOLUTION**

- A.** A recorded parcelization or portion thereof may be dissolved by the property owner or owners if, in doing so, no provision of this or any other ordinance, rule, regulation, statute or provision of law is violated. To do so, ten copies of a statement dissolving the parcelization (or any part of it) shall be submitted to Staff for review of compliance with all applicable ordinances, rules, etc. This statement, signed by all legal owners, contract buyers, and optionees of the property and notarized, shall contain the parcelization number and legal descriptions of the parcels involved.
- B.** Upon a finding of compliance, the Executive Director or his designee shall sign all ten statements. Once signed, the approved dissolution is eligible to be recorded.
- C.** It shall be the responsibility of the land divider to file the approved dissolution with the County Recorder within thirty calendar days of the end of the review process. Failure to so record shall automatically void the approved dissolution.
- D.** Upon recording the dissolution statement, the land owner is once more eligible to pursue the full parcelization process as per subsection 3.5 of the Unified Zoning Ordinance. That is, the land involved, for purposes of land division, is restored to its pre-parcelization status.